

prescribed by the Board in the Hawaiian case, Docket 20580. While Western's complaint rests largely upon contentions of diversion of higher rated traffic and the adverse economic consequences of applying these fares during periods of peak traffic demand, the carrier has not furnished enough factual data for the Board to reach a conclusion that these fares may be unreasonable. Moreover, Western has made no showing that the high level of GIT traffic carried on weekends has adversely affected its profits. On the contrary, the weekend flights may well be profitable because of high load factors. In these circumstances, and since the fares expire on September 30, 1972, and December 10, 1972, we are unable to conclude that sufficient cause has been shown at this time to investigate these fares.

However, we are requesting all carriers offering the fares to file with the Board's Bureau of Economics total revenue passenger miles, revenue passenger miles related to the GIT fares for groups of 40 or more, and available seat miles, by day of the week and by direction on a monthly basis in each of the following markets where nonstop service and GIT 40 fares are provided—Los Angeles, Portland, San Francisco, and Seattle to and from Honolulu/Hilo. Such data shall be filed not later than 30 days after each month for the months of December 1971 through December 1972.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a), 403, 404, and 1002 thereof,

*It is ordered, That:*

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A hereto, and rules, regulations, or practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including July 11, 1972, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The complaint of Western Air Lines, Inc., in Docket 24225 is hereby dismissed;

4. Except to the extent granted herein, the complaints in Dockets 24346 and 24349 are hereby dismissed;

5. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

6. Copies of this order be filed in the aforesaid tariffs and be served upon Con-

\* Filed as part of the original document.

Approved For Release 2000/09/14 : CIA-RDP86-00244R000100200005-9

Western Air Lines, Inc., Northwest Airlines, Inc., Pan American World Airways, Inc., Trans World Airlines, Inc., United Air Lines, Inc., and Western Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

DOT Doc. 72-5775 Filed 4-14-72; 8:49 AM

## COUNCIL ON ENVIRONMENTAL QUALITY

### ENVIRONMENTAL IMPACT STATEMENTS

#### Notice of Availability

Environmental impact statements received by the Council on Environmental Quality, April 3-April 7, 1972.

NOTE: At the head of the listing of statements received from each agency is the name of an individual who can answer questions regarding those statements.

#### DEPARTMENT OF AGRICULTURE

Contact: Dr. T. C. Byerly, Office of the Secretary, Washington, D.C. 20250, 202-388-7803.

#### ANIMAL AND PLANT HEALTH SERVICE

##### Final, March 27

1972 Gypsy Moth Suppression and Regulatory Program. Proposed USDA cooperation with State agencies in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and Wisconsin to suppress and/or regulate the gypsy moth. Approximately 200,000 acres would be sprayed with carbaryl. Certain beneficial nontarget insects and arthropods will be reduced in number; the possibility exists for runoff into area water supplies. Comments made by DOC, HEW, DOI, State agencies, and concerned citizens. (ELR Order No. 4079, 255 pages) (NTIS Order No. PB-205 589-F)

#### FARMERS HOME ADMINISTRATION

##### Final, March 24

O'Brien and Sioux Counties, Iowa. Proposed issuance of a \$1,900,000 loan to Rural Water System No. 1 in order to develop water resources to serve over 500 rural families in a 170 square-mile area. Comments made by USDA, EPA, HEW, DOI, and concerned citizens. (ELR Order No. 4081, 60 pages) (NTIS Order No. PB-202 790-F)

#### FOREST SERVICE

##### Draft, March 30

Chairlift No. 2, Mount Ashland, Oreg. Proposed construction of a second chairlift at an existing winter sports complex. The lift will increase the chances of polluting the Ashland Municipal Watershed. (ELR Order No. 4075, 16 pages) (NTIS Order No. PB-207 770-D)

\* Concurring statement of Minetti, Member filed as part of the original document.

#### DEPARTMENT OF DEFENSE

#### DEPARTMENT OF AIR FORCE

Contact: Col. Cliff M. Whitehead, Room 5E425, The Pentagon, Washington, D.C. 20330, 202 OX 5-2889.

##### Draft, March 28

Air Force Academy Airman's Program. Colorado Springs, Colo. Proposed relocation of T-41 training facilities from Peterson Field to the Academy Airstrip. (ELR Order No. 4090, 115 pages) (NTIS Order No. PB-207 908-D)

#### DEPARTMENT OF ARMY

#### Corps of Engineers

Contact: Colonel Barnes, Executive Director, Attention: DAEN-CWZ C, Office of Chief of Engineers, 1000 Independence Avenue SW., Washington, DC 20314, 202-693-7168.

##### Draft, March 28

New Kent County, Va. Proposed treatment of the waters of the Walker Dam impoundment with a 50-50 mixture of diquat and potassium endosulf. The purpose of the treatment is to control the Brazilian waterweed. Elodea fish will be killed; a reduction of the amount of oxygen in the water will occur; the reservoir will be rendered not potable for 1 week; and there is potential for damage to an adjacent farm. (ELR Order No. 4074, 14 pages) (NTIS Order No. PB-207 771-D)

Bayou Plaquemine, Iberville Parish, La. Proposed filling of Bayou Plaquemine to an elevation 26 feet above m.s.l. from west end of closed lock structure to a point approximately 200 feet west of the Texas and Pacific Railway bridge, preparatory to the construction of Highway 1 relocation fill will be obtained by dredging the Mississippi River Waterway. Several businesses will be lost to the action; a 4(f) statement will be required as public land will be taken. (ELR Order No. 4080, 127 pages) (NTIS Order No. PB-207 772-D)

Cordell Hull Dam and Reservoir, Cumberland River, Tenn. Proposed construction of a dam including a 100 MVE power facility; a spillway; and a 12,900-acre reservoir. The purposes of the project are navigation, hydroelectric power, and recreation. Construction is more than 80 percent complete; conversion of a 72-mile stretch of stream to a lake will result in the displacement of residents, utilities, roads, and cemeteries. (ELR Order No. 4110, 20 pages) (NTIS Order No. PB-207 921-D)

##### Final, March 15

Las Cruces, Don Ana County, N. Mex. Proposed construction of a dry flood control dam and diversion ditch with outlet works, spillway structures and an open discharge channel. Loss of an unspecified amount of wildlife habitat will occur. Comments made by USDA, EPA, DOI, International Boundary and Water Commission, State and local agencies, and concerned citizens. (ELR Order No. 3063, 59 pages) (NTIS Order No. PB-202 923-F)

#### FEDERAL POWER COMMISSION

Contact: Frederick H. Warren, Advisor on Environmental Quality, 441 G Street NW., Washington, DC 20426, 202-383-6084.

##### Draft, March 31

Project No. 2092, Moon and Clay Counties, N.C. Proposed approval of a renewal operating license for the Nantahala Power and Light Co.'s Project No. 2092. The project consists of 1,042' long, 250' high

dem, a 1,605 acre reservoir, a 5.6 mile conduit, powerhouse with installed capacity of 43,200 kw. (ELR Order No. 4037, 63 pages) (NTIS Order No. PB-207 901-D)

Schoolfield Project No. 2411, Danville, Va. Proposed approval of an application by the Dan River Co. for Project No. 2411. This is a run-of-river development with a 5,300 kw. powerhouse. (ELR Order No. 4088, 29 pages) (NTIS Order No. PB-207 907-D)

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Contact: Robert Lanza, Office of the Assistant Secretary for Health and Scientific Affairs, Room 4062 HEWVN, Washington, D.C. 20202, 202-962-2241.

#### Draft, March 29

Tri-Service Incinerator, Forest Glenn Station, Montgomery County, Md. Proposed construction of an 87.5 tons per day capacity incinerator to dispose of trash, animal, and infectious research wastes from Walter Reed Army Medical Center, the National Institute of Health, and the National Navy Medical Center. Twelve acres of land will be committed to the two-furnace project; traffic will increase in the area; emissions will result; sediment from construction will be discharged to a Rock Creek tributary. (ELR Order No. 4109, 124 pages) (NTIS Order No. PB-207 898-D)

#### DEPARTMENT OF INTERIOR

Contact: Office of Communications, Room 7214, Washington, D.C. 20240, 202-343-6416.

#### NATIONAL PARK SERVICE

#### Draft, March 29

White Sands National Monument, N. Mex. A proposed revised master plan for maintenance of the Monument during the next 5 years. Missile impact within the monument necessitates the use of vehicles and other mechanical equipment. Designation as wilderness is therefore precluded. (ELR Order No. 4070, 44 pages) (NTIS Order No. PB-207 776-D)

#### NATIONAL CAPITAL PLANNING COMMISSION

Contact: Donald F. Bozarth, Director of Current Planning and Programming, Washington, D.C. 20576, 202-382-1471.

#### Draft, March 10

Comprehensive plan for the National Capital, Washington, D.C. Proposed modification to the Comprehensive Plan in order to make it conform to the Urban Renewal Area. The proposal involves relocation of the "Uptown Center," realignment of Fort Lincoln Park, etc. (ELR Order No. 2080, 56 pages) (NTIS Order No. PB-207 439-D)

#### TENNESSEE VALLEY AUTHORITY

Contact: Dr. Francis Gartell, Director of Environmental Research and Development, 730 Edney Building, Chattanooga, Tenn. 37401, 615-735-2002.

#### Final, March 31

Colbert Steam Plant, Colbert County, Ala. Proposed addition of gas turbine peaking units 1-8 at Colbert Steam Plant. SO<sub>2</sub> and NO<sub>x</sub> will be emitted; the possibility of oil spillage or leakage will result. Comments made by USDA, DOC, DOD, EPA, FPC, HEW, HUD, DOI, DOT, State and regional agencies. (ELR Order No. 4109, 41 pages) (NTIS Order No. PB-200 365-F)

Thomas H. Allen Steam Plant, Shelby County, Tenn. Proposed addition of gas turbine peaking units 17-20 to the Steam Plant, in order to provide additional power SO<sub>2</sub> and NO<sub>x</sub> will be emitted; the possibility of oil spillage or leakage will result. Comments made by USDA, DOC, DOD, EPA, FPC, HEW, HUD, DOI, DOT, State and regional agencies. (ELR Order No. 4114, 40 pages) (NTIS Order No. PB-199 231-F)

#### DEPARTMENT OF TRANSPORTATION

Contact: Martin Convisser, Director, Office of Program Coordination, 400 Seventh Street SW., Washington, D.C. 20590, 202-462-4357.

#### Draft, March 27

Walton County, Fla. Proposed reconstruction of 16.8 miles of two-lane F.A.S. Route 12. An unspecified amount of land will be lost to the project. (ELR Order No. 4053, 18 pages) (NTIS Order No. PB-207 727-D)

#### Draft, March 31

Escambia County, Fla. Proposed reconstruction of S.R. 96 (U.S. 29), a four-lane highway. The total length of the project is 8.2 miles (ELR Order No. 4055, 19 pages) (NTIS Order No. PB-207 722-D)

#### Draft, March 28

P.R. 149, Puerto Rico. Proposed construction of 7.49 miles of P.R. 149, a non-controlled access highway. The Manati River will be crossed by the project; 25 families will be displaced. (ELR Order No. 4065, 21 pages) (NTIS Order No. PB-207 734-D)

#### Draft, March 27

Project F-625( ), Lawrence County, Ohio. Proposed construction of 10 miles of new four-lane limited access highway. Approximately 106 families, businesses, and farms will be displaced by the action. A 4(f) statement would be required as public use land will be utilized. (ELR Order No. 4066, 20 pages) (NTIS Order No. PB-207 735-D)

#### Draft, March 30

L.R. 16059, Clarion County, Pa. Proposed construction of 5.7 miles of Legislative Route 16059, a new, 2-lane free-access roadway. A 4(f) statement is required as the highway will require land from Cook Forest State Park. (ELR Order No. 4073, 67 pages) (NTIS Order No. PB-207 769-D)

Project US-680(4), Pinellas County, Fla. Proposed reconstruction of 1.4 miles of S.R. 699 from two to four lanes. (ELR Order No. 4076, 34 pages) (NTIS Order No. PB-207 775-D)

#### Draft, February 29

Project S-0145(4), Washington County, Wis. Proposed reconstruction of 3 miles of FAS Route 145. Approximately 10.2 miles of land would be lost to the project. Cedar Creek would be exposed to contamination. A 4(f) statement would be required as land would be taken from a wildlife refuge. (ELR Order No. 4091, 9 pages) (NTIS Order No. PB-207 925-D)

#### Draft, March 28

Plaquemines, Orleans, and St. Bernard Parishes, La. Proposed construction of 14.8 miles of I-410, a controlled access six-lane highway. Approximately 540 acres of land will be lost to the project; three families will be displaced; four major streams will be crossed. (ELR Order No. 4094, 59 pages) (NTIS Order No. PB-207 928-D)

Mr. Convisser's office will refer you to the regional office from which the statement originated.

410 St. Charles Parish, La. Proposed construction of 1.33 miles of six-lane I-410. Thirty-seven families will be displaced, 876.36 acres of land will be lost to the project. (ELR Order No. 4097, 30 pages) (NTIS Order No. PB-207 924-D)

#### Final, March 30

Project F-82, LeFlore County, Okla. Proposed relocation and reconstruction of 5.4 miles of U.S. 270. Nine families would be displaced and 85 acres taken by the project. Comments made by State agencies. (ELR Order No. 4092, 18 pages) (NTIS Order No. PB-199 574-F)

Project F-236, Coal County, Okla. Proposed reconstruction of 6 miles of S.H. 2. One family would be displaced and 200 acres would be lost to the project. Comments made by DOI and State agencies. (ELR Order No. 4093, 20 pages) (NTIS Order No. PB-199 593-F)

Project F-405( ), Houston County, Tex. Proposed reconstruction of 6.1 miles of U.S. 287, from two to four lanes. Approximately 147 acres of land will be required by the project; 11 residences, three businesses, and one church will be displaced, two lakes, totaling 2.8 acres, will be drained. Comments made by USDA, EPA, HEW, DOT, State agencies, and concerned citizens. (ELR Order No. 4094, 46 pages) (NTIS Order No. PB-202 073-F)

Project F-413( ), Morgan, Cass, and Schuyler Counties, Ill. Proposed construction of 51 miles of Supplemental Freeway P.A.P. 413, a four-lane, fully access controlled facility. An unspecified number of residences and amount of land will be lost to the project. Comments made by USDA, Army COE, DOC, EPA, FPC, DOT, USCG, and State and local agencies. (ELR Order No. 4095, 91 pages) (NTIS Order No. PB-202 073-F)

#### Final, March 29

Project F-180, Garfield and Major Counties, Okla. Proposed construction of 20.11 miles of U.S. 60. Twenty-two families, four businesses, and two nonprofit organizations will be displaced by the project; 315 acres of grass and farm land will be lost. Comments made by DOI and State agencies. (ELR Order No. 4098, 23 pages) (NTIS Order No. PB-200 759-F)

Project S-296(5), Shelby County, Ind. Proposed construction of 1 mile of highway to connect with I-74. Comments made by USDA, EPA, HUD, DOI. (ELR Order No. 4099, 23 pages) (NTIS Order No. PB-202 176-F)

#### Final, March 30

Project F-037-1( ), Whitman County, Wash. Proposed construction of 5 miles of new two and four lane limited access highway. An unspecified amount of land will be lost to the project. Comments made by USDA, Army COE, EPA, HUD, DOT, State and local agencies. (ELR Order No. 4100, 45 pages) (NTIS Order No. PB-207 915-F)

Project I-86, Towns of Ashford and Union, Conn. Proposed reconstruction of 1.46 for a length of approximately 7.16 miles. Comments made by USDA, EPA, HUD, DOI, State Department, State and local agencies. (ELR Order No. 4101, 101 pages) (NTIS Order No. PB-201 299-F)

Project S-1117(102), Chilton County, Ala. Proposed reconstruction of 5.2 miles of FAS Route 1117. Comments made by USDA, DOC, DOD, DOI, State and local agencies. (ELR Order No. 4102, 28 pages) (NTIS Order No. PB-201 249-F)

Project No. S-6012, Payne County, Okla. Proposed construction of 2 miles of FAS Route 6012. Thirteen acres of grasslands will be lost to the project. Comments made by USDA, EPA, and State agencies. (ELR Order No. 4103, 16 pages) (NTIS Order No. PB-201 819-F)

Projects F-152 and F-252, Osage County, Okla. Proposed construction of 20.4 miles of U.S. 60, a four-lane highway. Approximately 430 acres would be lost to the project. Comments made by DOI, State and local agencies. (ELR Order No. 4104, 30 pages) (NTIS Order No. PB-200 206-F)

Meeting Street Expressway, Richland and Lexington Counties, S.C. Proposed construction of 3.3 miles of urban highway. Approximately 20 businesses and 125 residences would be displaced by the project. Comments made by Army COE, HUD, DOJ, DOT, State, local, and regional agencies. (ELR Order No. 4105, 31 pages) (NTIS Order No. PB-200 526-F)

Projects S-661 and 612, Floyd County, Ky. Proposed replacement of Bailey Bridge and reconstruction of 1.10 miles of highway, on KY 1426 and KY 979. Fifteen families would be displaced and 12 acres lost to the project. Comments made by DOC, EPA, DOI, DOT, and one State agency. (ELR Order No. 4106, 21 pages) (NTIS Order No. PB-202 011-F)

Project S-453, Cumberland County, N.C. Proposed reconstruction of 9.1 miles of NC 53-210. Six families and one business would be displaced by the project. Comments made by USDA, EPA, GSA, DOI, State and local agencies. (ELR Order No. 4107, 36 pages) (NTIS Order No. PB-201 848-F)

BRIAN P. JENNY,  
Acting General Counsel.

[FR Doc.72-5771 Filed 4-14-72; 8:51 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Report 591]

### COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

#### Domestic Public Radio Services Applications Accepted for Filing<sup>2</sup>

APRIL 10, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently

<sup>1</sup> All applications listed in the appendix below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

<sup>2</sup> The above alternative cutoff rules apply to those applications listed in the appendix below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates set forth in the alternative applications will be entitled to consideration with those listed in the appendix below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning a domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules and provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS  
COMMISSION  
BEN F. WAPPE,  
Secretary.

[SEAL]

#### APPENDIX

##### APPLICATIONS ACCEPTED FOR FILING

##### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 6955-C2-P-(2)-72—Massachusetts-Connecticut Mobile Telephone Co. (KC1300), for additional facilities to operate on 152.21 MHz and change the antenna system operating on 152.03 MHz at location No. 1: Provin Mountain, Off West Street, Agawan, Mass.
- 6961-C2-P-(3)-72—Contract of Texas (KKD284), for additional facilities to operate on 152.18 MHz and change the antenna system operating on 152.03 MHz and 152.01 MHz located at Ranger Peak, Franklin Mountain, El Paso, Tex.
- 6962-C2-MP-(2)-72—Intrastate Radio Telephone, Inc., of Los Angeles (KSV977), replace transmitter and change the antenna system operating on 152.24 MHz at location No. 1: End of TV Row, Mount Wilson, Calif., and for additional facilities to operate on 152.24 MHz at a new site described as location No. 2: 8909 Cedro Drive, Los Angeles, CA.
- 6963-C2-P-(3)-72—Tel-Car, Inc. (KSV957), for additional facilities; at location No. 1: Flattop Butte, 5.5 miles east of Jerome, Idaho, add 152.03 MHz base and 459.25 MHz repeater and at location No. 2: 448 Sixth Avenue West, Twin Falls, ID, add 454.25 MHz control.
- 6965-C2-P-(2)-72—Mobile Radio Telephone Service, Inc. (KAQ606), for an additional antenna at location No. 2: 3500 Zuni Street, Westminster, CO, to operate on 35.58 MHz.
- 6978-C2-AL-72—Great Eastern Communications Co., consent to assignment of license from Great Eastern Communications Co., Inc. Assignor, to Francis Lambert & Virginia Clairette trading as Chayce 'n You, Assignee, Station: KRS638 New Bedford, Mass.
- 6979-C2-P-(3)-72—Airsignal International, Inc. (KIE953), to add FM transmitters to operate on 35.58 MHz at location No. 1: Forsyth and Marietta Streets, Atlanta, Ga.; at Location No. 2: 3390 Peachtree Road NE, Atlanta, GA, and at location No. 3: 1001 International Boulevard, Atlanta, GA.
- 6980-C2-P-72—Communications Industries, Inc., doing business as Mobilphone (KKG563), for additional facilities to operate on 152.21 MHz at location No. 1: U.S. Highway No. 80, approximately 2 miles southwest of Midland, Tex.
- 6986-C2-P-72—Southwestern Bell Telephone Co. (KKG413), for additional facilities to operate on 152.75 MHz located 1.5 miles west of El Dorado, Ark.
- 6987-C2-P-(2)-72—Ace Commercial Services, Inc. (KQZ741), change base frequency to 152.06 MHz at location No. 1: 4 miles northeast of Columbus on Highway No. 12, WCBT-TV Tower, Columbus, Miss., and establish two-way facilities to operate on 152.03 MHz at a new site described as location No. 3: East of Ridge Road North, Columbus, Miss.
- 7008-C2-P-(2)-72—Charles L. Sileum (KC1770), for additional facilities to operate on 152.23 MHz base at location No. 2: Coal Bed Road, Elk Township, 6 miles northeast of Warren, Pa., and 454.275 MHz control facilities at location No. 3: Lindsley Hollow Road, 2.5 miles south of Corry, Pa.
- 7009-C2-MI-72—Mountain States Telephone and Telegraph Co. (KSV985), change base frequency to 152.72 MHz located at 2.3 miles northwest of Bisbee, Ariz. (Mule Mountain).
- 7010-C2-P-72—Mobile Radio Communications, Inc. (New), for a new one-way station to be located at 922 Linwood Street, Kansas City, MO, to operate on 35.58 MHz.
- 7011-C2-P-72—Telephone Answering Service, Inc. (KJU799), relocate facilities operating on 152.03 MHz to 805 Kentucky Avenue, Paducah, KY.
- 7080-C2-P-72—George E. Kitchen & Associates (KLF562), for additional facilities to operate on 152.09 MHz at a new site described as location No. 2: 552½ West Columbia, East Creek, MI.
- 7092-C2-P-(4)-72—Mountain States Telephone and Telegraph Co. (KCE513), relocate facilities operating on 152.57, 152.63, 152.69, and 152.75 MHz at 6 miles south-southwest of Casper, Wyo.
- 7093-C2-P-72—Northern Illinois Radio Phone and Paging (New), for a new two-way station to be located west of Martin Road on south side of Route No. 120, McHenry, Ill., to operate on 454.100 MHz.
- 7095-C2-P-72—Airsignal International, Inc. (KIE653), for additional facilities to operate on 35.22 MHz at location No. 3: 3243 Tulane, Memphis, TN.
- 7097-C2-P-(4)-72—Victor E. Duane (New), for a new two-way station to be located at location No. 1: 917 West Galbraith Road, Cincinnati, OH, to operate on 454.150 and 454.275 MHz and at location No. 2: 2345 Symmes, Cincinnati, OH, to operate on 454.050 and 454.225 MHz.

#### Major Amendment

- 3521-C2-P-71—Airsignal International, Inc. (KIE653), amend to read: For additional facilities to operate on frequency 35.22 MHz at a new site described as location No. 2: 413 Highland Street, Memphis, TN. See Public Notice No. 545, dated May 24, 1971.
- 7008-C2-P-71—Yakima Telephone Answering Service (New), amend to indicate transfer of control from Jack H. Goetz and Margaret A. Goetz to Dale W. Blair. See Public Notice No. 551, dated July 6, 1971.

Approved For Release 2000/09/14 : CIA-RDP86-00244R000100200005-9

A public hearing was held on March 16, 1972, in the South Auditorium of the ABIM Building, 1916 Race Street in Philadelphia, beginning at 2 p.m. The subjects of the hearing are as follows:

1. Proposed regulation requiring the payment of fees and charges in connection with review of certain water resources projects. The text of the proposed regulation is as follows:

Whereas, review of proposed water resources projects pursuant to section 3.3 of the Delaware River Basin Compact has become a substantial program activity representing a major public cost; and

Whereas, certain categories of project review cases demand extended staff analysis and the use of expert consultants, the cost of which cannot always be forecast within the Commission's budget; and

Whereas, it is timely and in the public interest to initiate a program of allocating a portion of the costs of reviewing water resources projects to the applicant or project sponsor; now therefore

Be it resolved by the Delaware River Basin Commission:

1. A filing fee shall be paid to the Commission, according to the schedule herein, at the time of submission of each application for project review pursuant to section 3.8 of the Delaware River Basin Compact, subject to the provisions of section 2-3.5(a) of the Rules of Practice and Procedure.

2. The schedule of project review fees is the greater of (a) and (b) as follows:

(a) Minimum fee, \$25 for any project; and

(b) Alternative fee: One-tenth of 1 percent of the estimated project cost.

3. Project review fees under this regulation shall be required for the following categories of projects:

- (a) Impoundments;
- (b) Divisions of water into or out of the Delaware River Basin;
- (c) Industrial water use and waste treatment facilities;
- (d) Electric generating and transmission facilities;
- (e) Petroleum product pipelines;
- (f) Stream encroachments; and
- (g) Withdrawal of ground water.

4. Water resources projects sponsored by other public agencies shall be exempt from fees or charges pursuant to this regulation. Projects subject to a charge by another signatory agency may be exempt from this regulation if such charge represents a reasonable reflection of the cost to the public of performing the project review.

5. Hearing charges: If any adversary hearing is required pursuant to the rules of practice and procedure, one-half of the charges of the official stenographer shall be paid by the sponsor or applicant and the hearing examiner may apportion the remainder for payment by the objectors. No apportionment of hearing costs may be made to any objector who withdraws prior to the hearing.

6. Revenues received pursuant to this regulation shall be covered into the Commission's general fund and be subject to specific appropriation by the Commission.

annual Water Resources Program as mandated by section 13.2 of the Delaware River Basin Compact. Revisions relate to development of water resources programs in the Basin.

III. Proposal to approve the following water pollution abatement schedule as submitted in accordance with section 3-4.2(2) of the Basin Regulations: Water Quality:

(a) A-71-2-GAF Corp. Plant is located in Gloucester City, N.J., discharging into Zone 3 of the Delaware Estuary. Schedule would require recycling of all contaminated wastewater and that facilities to accomplish this go into operation no later than July 31, 1972. The allocation of 3,430 pounds per day of carbonaceous (first stage) oxygen demand for this discharge would be withdrawn and returned to the Zone 3 reserve.

IV. Proposal to amend the comprehensive plan so as to include the following project:

(a) Greater Pottsville Industrial Development Corp. A well water supply project to provide water service in the Frackville Industrial Park, Frackville, Schuylkill County, Pa. The new well would be designed to yield 40,000 gallons per day initially and 250,000 gallons per day ultimately. The water will pass through the city of Frackville sewage treatment system and discharge ultimately into the Susquehanna River Basin.

Copies of the proposed revisions to the Water Resources Program may be obtained from the Commission upon request. Documents relating to the other items listed for hearing may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission (Telephone (609) 883-9580).

W. BRINTON WHITALL,

Secretary.

APRIL 14, 1972.

[FR Doc. 72-6527 Filed 4-27-72; 8:48 am]

## ENVIRONMENTAL PROTECTION AGENCY

### ENVIRONMENTAL IMPACT STATEMENTS

#### Availability of Comments

Appendix I below contains a listing of draft environmental impact statements which the Environmental Protection Agency (EPA) has reviewed and commented upon in writing during the period from March 16, 1972, to March 31, 1972, as required by section 102(2)(C) of the "National Environmental Policy Act" of 1969 and section 309 of the "Clean Air Act", as amended. The listing includes the Federal agency responsible for the statement, the number assigned by EPA to the statement, the title of the statement, the classification of the nature of EPA's comments, and the source for copies of the comments.

Appendix II below contains definitions of the four classifications of EPA's comments. Copies of EPA's comments on these draft environmental impact statements are available to the public from the EPA offices noted.

Appendix III below contains a listing of the addresses of the sources for copies of EPA comments listed in Appendix I below.

Copies of the draft environmental impact statements are available from the Federal department or agency which prepared the draft statement or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22161.

Dated: April 21, 1972.

SHELDON MEYERS,

Director.

Office of Federal Activities.

#### APPENDIX I

ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN MARCH 16, 1972, AND MARCH 31, 1972

Responsible Federal Agency	Title and Identifying Number	General nature of comments	Source for copies of comments
Atomic Energy Commission.....	D-AEC-00035-45: Rover Fuels Processing Facility.....	2	AC
Do.....	D-AEC-00032-51: Contaminated Soil Removal Facility, Richland, Wash.....	1	AC
Do.....	D-AEC-00035-19: Bedrock Waste Storage Exploration.....	2	AC
Do.....	D-AEC-00022-45: Rio Blanco Gas Shrinkage Project.....	2	AC
Do.....	D-AEC-00010-30: Pilgrim Nuclear Power Station.....	1	AC
Do.....	D-AEC-00039-21: Turkey Point Plant Units 3 and 4.....	2	AC
Do.....	D-AEC-00038-26: Point Beach Nuclear Plant.....	3	AC
Do.....	D-AEC-00037-42: Calvert Cliffs Nuclear Power Plant.....	2	AC
Corps of Engineers.....	D-COE-3337-01: Maintenance Andrews River, Harwich, Mass.....	2	AC
Do.....	D-COE-3310-07: Maintenance of Newton Creek, N.Y., Navigation Project.....	1	AC
Do.....	D-COE-3026-12: Coastal Engineering Research Center Pier, Assateague Island, Md.....	3	AC
Do.....	D-COE-6135-30: Savannah National Recreation Area Ga. and S.C.....	2	AC
Do.....	D-COE-3214-25: Lower Detroit River and River Rouge, Wayne County, Mich.....	2	AC
Do.....	D-COE-3359-30: South Fork Zumbro River, Rochester, Minn.....	1	AC
Do.....	D-COE-1547-10: Milwaukee Diked Disposal Area, Milwaukee County, Mich.....	1	AC
Do.....	D-COE-3026-12: Red River Emergency Bank Protection, La. and Ark.....	1	AC
Do.....	D-COE-3026-12: Apdoo Lake Project, Apdoo, Tex.....	2	AC
Do.....	D-COE-3010-55: Lower Canadian River Protection Project.....	2	AC
Do.....	D-COE-3316-57: Tesoro Tank Farm and Barge Ship.....	2	AC





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FEDERAL COMMUNICATIONS  
COMMISSION

[Dockets Nos. 19122-19125; FCC 72-114]

STAR STATIONS OF INDIANA, INC.,  
ET AL.

Memorandum-Opinion and Order  
Enlarging Issues

In re applications of Star Stations of Indiana, Inc., Docket No. 19122, Files Nos. BR-1144, BRH-1276, for renewal of license of WIFE and WIFE-FM, Indianapolis, Ind.; Indianapolis Broadcasting, Inc., Docket No. 19123, File No. BP-18706, for a construction permit for a standard broadcast station Indianapolis, Ind.; Central States Broadcasting, Inc., Docket No. 19124, Files Nos. BR-516, BRH-992, for renewal of license of KOIL and KOIL-FM, Omaha, Neb.; Star Broadcasting, Inc., Docket No. 19125, File No. BR-1027, for renewal of license of KISN Vancouver, Wash.

1. This proceeding involves the mutually exclusive applications of Star Stations of Indiana, Inc. (Star), for renewal of license for Stations WIFE and WIFE-FM, Indianapolis, Ind.; and Indianapolis Broadcasting, Inc. (Indianapolis), for a construction permit for a standard broadcast station on the same frequency in Indianapolis, Ind. These applications were consolidated with the renewal applications of Central States Broadcasting, Inc., for renewal of license for Stations KOIL and KOIL-FM, Omaha, Neb., and Star Broadcasting, Inc. (Station KLEN, Vancouver, Wash. (also Star stations), and the six applications are designated for hearing by Commission Order FCC 70-1256, 35 F.R. 19209, published 10/1/70.

Filed December 18, 1970. The C  
914-001 CIA-RDP86-00244R00010-0  
which (Issue No. 23) is a financial  
qualifications issue against Indianapolis  
incorporating into: "(a) Whether Jerry L.  
Kunkel (an Indianapolis stock sub-  
scriber) has sufficient funds to meet his  
stock purchase commitment; (b)  
whether the applicant can raise the  
\$250,000 in unencumbered capital upon  
which its bank loan is contingent; and  
(c) whether in light of the evidence ad-  
duced pursuant to (a) and (b) above, the  
applicant is financially qualified. Pres-  
ently before the Review Board is a peti-  
tion to enlarge issues, filed November 30,  
1971, by Star requesting misrepresenta-  
tion, failure to disclose, lack of candor,  
and 1.6% issues against Indianapolis,  
and clarification of Issue (23)."

**FAILURE TO DISCLOSE \$ 1.05 AND  
RELATED ISSUES**

2. Star alleges that Indianapolis misrepresented certain financial aspects of its application to the Commission, and, in addition, violated § 1.63 of the Commission's rules by failing to disclose substantial and material changes in the financial aspects of its proposal. The charges and counter-charges made in the pleadings involve five of 12 Indianapolis stock subscribers and are somewhat complex. Therefore, in order to simplify the presentation of alleged facts, and to clarify petitioner's requests and Indianapolis' and the Broadcast Bureau's oppositions, we will set forth the arguments of all three as they relate to each of the five Indianapolis principals. Star alleges have failed to adequately report their financial position and changes therein. First according to Star, Jack C. Brinson is pledged to purchase 62½ shares or \$31,250 worth of Indianapolis stock and is relying upon his personal assets to meet the commitment. Star asserts that Brinson has failed to report the following facts to the Commission: (1) That the "in excess of \$35,000" of stock listed on the American Stock Exchange reported in Brinson's balance sheet has been sold; (2) that 3 months prior to the designation order he incurred a \$150,000 liability to the American Fletcher National Bank which he did not report in his balance sheet; and (3) that Brinson has purchased a home upon which there is a \$37,500 mortgage. Consequently, Star argues, Brinson has substantially reduced his liquid asset position and this reduction raises serious questions as to his ability to meet his subscription commitment. Star, however, is not challenging Brinson's ability to

\*The Commission recently redesignated this proceeding for hearing (FCC 72-146, released Feb. 24, 1972). As a result, the instant petition will be regarded as having been timely filed. See World, Inc., (WPIX), FCC 72-88, \_\_\_\_\_ FCC \_\_\_\_\_, released Mar. 31, 1972.

Also before the Review Board are the following related pleadings: (a) Opposition, filed Dec. 17, 1971, by Indianapolis; (b) Opposition, filed Dec. 17, 1971, by the Broadcast Forum; and (c) reply, filed Dec. 30, 1971, by Indianapolis.

meet his stock subscription agreement. After Indianapolis' failure to inform the Commission, as required by § 1.65, of these allegedly material and substantial changes in Brinson's financial position.

3. Indianapolis, in opposition, maintains that Brinson has paid \$5,684.90 of his commitment, thereby leaving a balance of \$24,562.50. Indianapolis submits that by a petition for leave to amend, filed December 1, 1971, and granted by the Hearing Examiner on December 6, 1971 (FCC 71M-1891), Brinson indicated his intention to meet his stock subscription commitment through a bank loan.<sup>2</sup> Indianapolis further argues that Brinson never indicated an intention to rely upon any particular assets to meet his stock subscription. Indianapolis concedes that Brinson's liquid position has changed, but maintains that the Commission has never required a stock subscriber to always have liquid assets.<sup>4</sup> The Broadcast Bureau's argument essentially parallels that of Indianapolis with the additional argument that Star has failed to show that Brinson has insufficient assets to meet the subscription commitment. The Bureau alleges that Brinson's current balance sheet, dated November 15, 1971, and submitted into evidence at the hearing, shows that Brinson's assets total \$520,218 and his liabilities total \$187,500, thereby leaving a net worth of \$332,718, which is certainly sufficient, in the Bureau's view, to meet the balance of approximately \$22,000 which he owes on the subscription.<sup>5</sup>

4. Second, Star alleges that Stanley C. Cederquist misrepresented or is guilty of lack of candor with respect to his financial showing. According to Star, Cederquist has subscribed to \$25,000 worth of Indianapolis stock. Star alleges that Cederquist omitted the following facts on his balance sheet: (1) That he personally guaranteed a loan for \$420,000; (2) that he is personally liable for approximately \$24,000 on revolving line-of-credit; and (3) that he has subsequently sold \$3,000 worth of stock. Star alleges that Cederquist testified at the deposition hearing that his present liquid assets would be insufficient to meet his subscription commitment and that he would have to rely upon a bank loan; however, Star asserts,

\*Brinson submitted a letter from the American Fletcher National Bank, dated Nov. 30, 1971 extending a line-of-credit for \$25,000.

\*Indianapolis also argues that STA used discovery proceedings as a fishing expedition in order to seek enlargement of issues. However, the Board has recently held, in a similar situation, that facts revealed at a discovery proceeding for the first time can be utilized as a basis for requesting enlargement of issues. See Folkways Broadcasting Co., Inc., 33 FCC 2d 813, 816 n. 13, 26 FR 2d 945, 948-949, 16 (1972).

The Bureau also predicates its en-  
 opposition on the contention that the  
 is untimely. However, as indicated a foot-  
 note 1, supra, the petition will be reg-  
 istered having been timely filed. Moreover,  
 the petition raises serious public inter-  
 est questions which warrant consideration.  
 See The Eschfeld-Sutton Co. v. U.S.  
 5 FCC 2d 143, 8 RR 2d 611 (1939).